

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

FEB 19 2004

PAT & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte PETER H. MARKUSCH and RALF GUETHER

Application No. 09/808,812

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 13, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

Appellants filed an amendment on March 25, 2003. On April 14, 2003, the examiner has indicated in an advisory action that the amendment filed March 25, 2003, would be entered. A review of the file reveals that the amendment was not physically entered.

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Also, the claims to the amendment filed on March 25, 2003, included claim 3. However, the last line of claim 3 (section iii) is not viewable (not properly scanned). Appropriate correction is required.

Accordingly, it is

ORDERED that this application be electronically returned to the examiner for: 1) physical entry of the amendment filed March 25, 2003; 2) correction to claim 3, last line; and 3) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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DMS/tdl/mh
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